

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Street and Alley Vacation #02006

DATE: May 24, 2002

PROPOSAL: To vacate the north-south alley from the south line of "M" Street to the north line of the east-west alley in Block 83 Original Plat of Lincoln.

LAND AREA: 1,420 square feet, more or less (10' x 142')

CONCLUSION: This alley is not necessary to accomplish the goals of the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Conforms to the Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: The north-south alley from the south line of "M" Street to the north line of the east-west alley in Block 83 Original Plat of Lincoln, located in the NW 1/4 of Section 26, T10N, R6E of the 6th P.M., Lancaster County, Nebraska.

LOCATION: West of S. 7th Street, between "L" and "M" Streets

APPLICANT: Cotswald Management, L.L.C.
645 "M" Street, Suite 200
Lincoln, NE 68508

CONTACT: J. Michael Rierden
645 "M" Street, Suite 200
Lincoln, NE 68508
(402) 476-2413

SURROUNDING LAND USE AND ZONING:

North:	I-1	Parking lot
South:	I-1	Warehouse/industrial buildings
East:	I-1	Warehouse/industrial buildings
West:	I-1	Industrial buildings and railroad line

COMPREHENSIVE PLAN SPECIFICATIONS: The 1994 Comprehensive Plan designates this area as Industrial.

STREET VACATION NO.00018
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HISTORY: This property was converted from L Heavy Industrial to I-1 Industrial in the **1979 Zoning Update**.

UTILITIES: There are no public utilities in the alley.

TOPOGRAPHY: Flat

TRAFFIC ANALYSIS: S 7th, "L" and "M" Streets are classified as a local streets.

PUBLIC SERVICE: City of Lincoln Fire and Police

ENVIRONMENTAL CONCERNS: The entire alley is located in the flood plain.

ANALYSIS:

1. This alley is entirely covered by a building which was constructed in approximately 1925 according to the applicant. The earliest building permit record for that address is 1935. In either case, the building has been there for more than 50 years.
2. In most right-of-way vacations within the flood plain, a conservation easement is required in order to preserve the flood storage area. In this case, an easement is not appropriate - the building is already there.

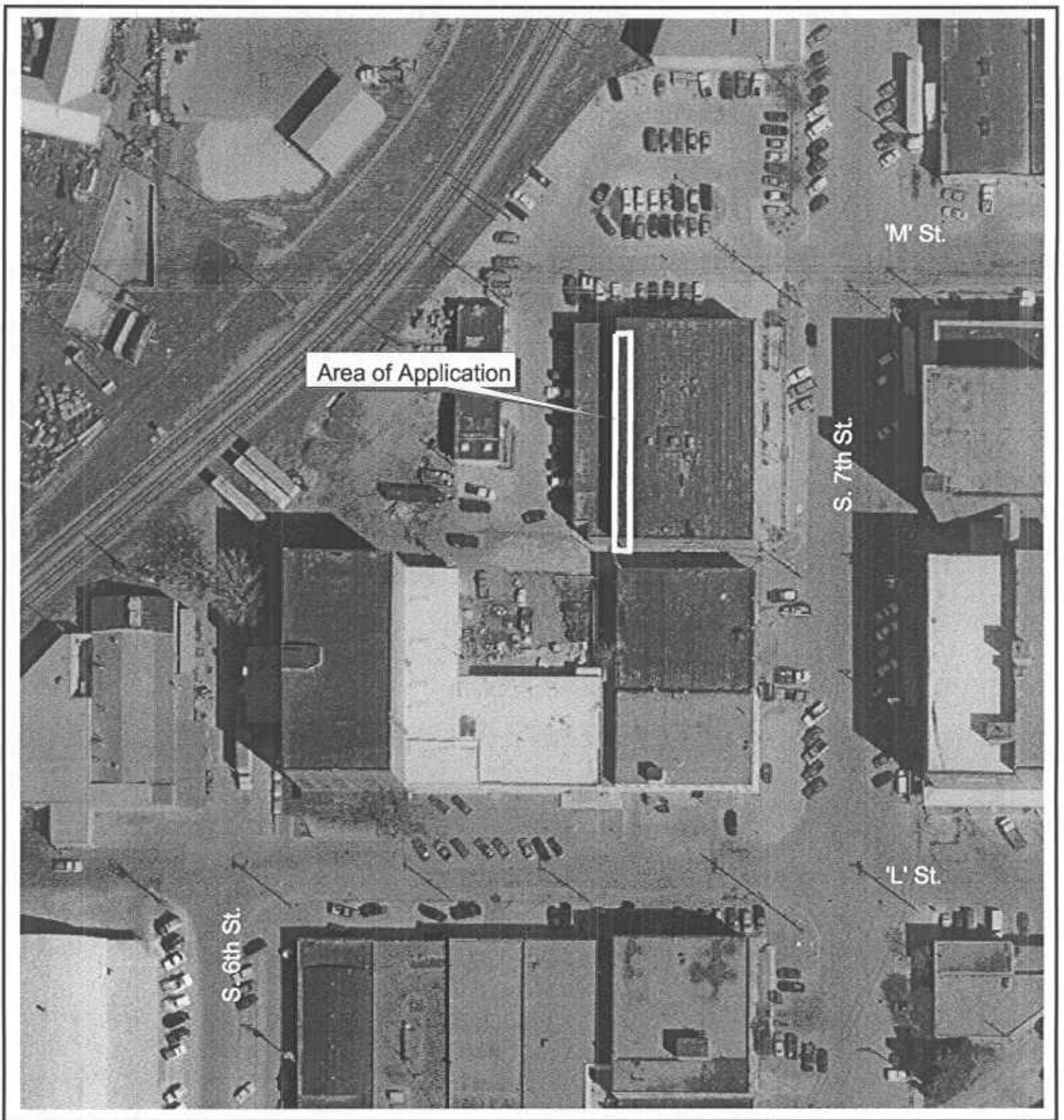
BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.

Prepared by:

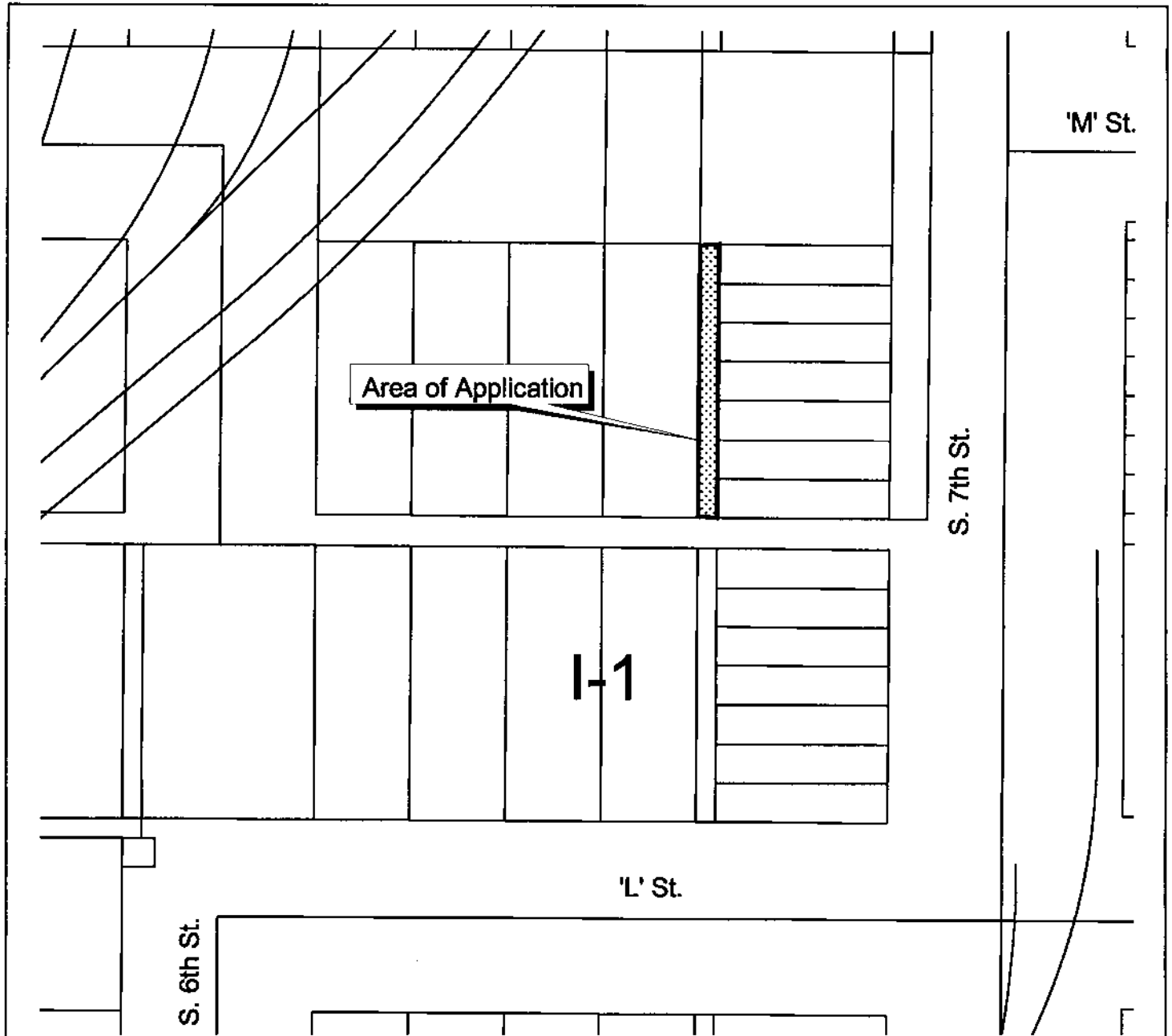
Jason Reynolds
Planner

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Street & Alley Vacation #02006
S. 7th & M Street (N-S Alley)



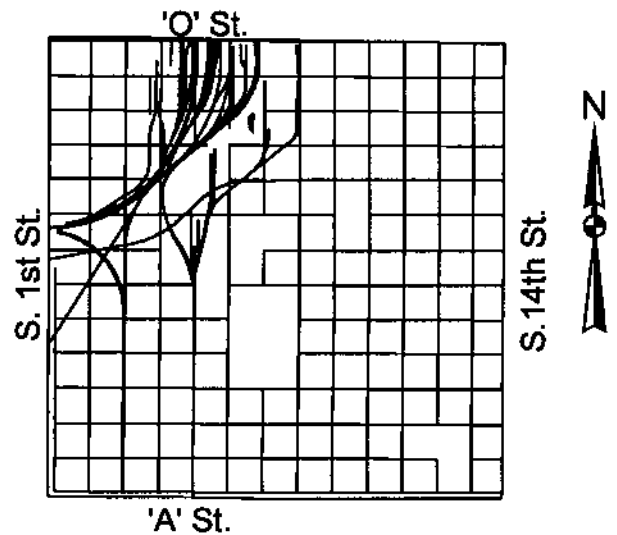
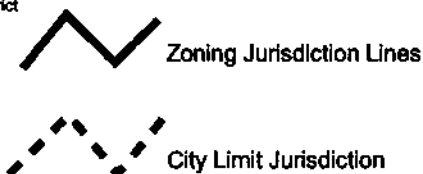


Street & Alley Vacation #02006 S. 7th & M Street (N-S Alley)

Zoning:

R-1 to R-6	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 26 T10N R6E



Lincoln



Nebraska's Capital City

May 13, 2002

Lincoln City/Lancaster County
Planning Commission
Lincoln, NE 68508


RE: Vacating the North-South Alley from the South Line of "M" Street to the North Line of the East-West Alley in Block 83 Original Plat of Lincoln

Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received a petition from Cotswold Management, LLC., owners of Lot 3 Block 83 Original Plat of Lincoln and Lots 1 through 7, Lincoln Land Company's Subdivision of Lots 1 and 2, Block 83 Original Plat of Lincoln, to vacate the above described public right-of-way. Petitioner requests this vacation because their building has been on the alley since 1925 and a recent sale indicated the alley was never vacated.

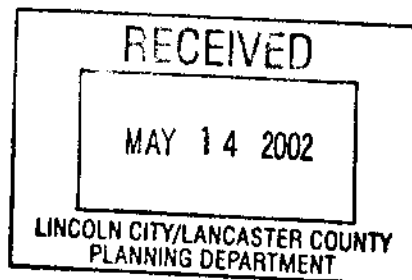
There are no known utilities in this alley. Public Works recommends approval of this vacation request. This vacation contains an area of 1,420 square feet, more or less.

Sincerely,



Byron Blum
Engineering Services

cc: Mayor Wesely
Allan Abbott
Kent Morgan
Marc Wullschleger
Roger Figard
Nicole Fleck-Tooze
Joan Ross
Clint Thomas
Dana Roper



Vac Blk 83 tdm wpd

VACATED BY VIADUCT OR

25	24	23	22	21	20
12	11	10	9	8	7

90	1
a	2
b	3
c	4
d	5
e	6
	7, 90

50	"
142 75	14
VAC. OR.	
142 16	17
50	"

142	14
15	
VAC	ORD.
50	"

190
2
3
4
5
6
790

ACATED
ORD. *7579

16.72

20.27

90.2

3

4

5

6

90.7

50

118.5

14.2

16

17

142	50	50
142	15	14
50		1
16		17

\$0	"
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INFORMATION SHEET

An Information Sheet must be filled out completely by the owners of each parcel abutting the requested vacation. The attached **Petition of Vacate Public Way** must also be filled out completely according to the instructions contained in the Instruction Sheet.

1. Name of Petitioner (Current Titleholder/s): Cotswold Management, L.L.C.
If more than one individual, indicate if you are:
_____ joint tenants with right of survivorship, OR _____ tenants in common
2. Petitioner's Address: 645 M Street #200
Lincoln 68508
Attorney
3. Petitioner's Telephone Number: () 477-7501
4. Social Security Number of each Petitioner or Federal Employer Identification No. if a Corporation:
5. Name of street, alley, or other public way sought to be vacated: N/S ALLEY FROM THE
SOUTH LINE OF VACATED M ST TO THE NORTH
LINE OF THE EAST-WEST ALLEY IN BLOCK 8
LINCOLN CRIO
6. Why are you seeking to have this street, alley, or other public way vacated?
IS LOCATED UPON THE ALLEY OUR BUILDING
1925. RECENT SALE INDICATES IT WAS NEVER
VACATED
7. What use or uses do you propose to make of the public way should it be vacated? SAME
8. Do you intend to purchase that portion of the vacated public way which abuts your property as described in the **Petition to Vacate Public Way** and/or other portions of the vacated public way?
X YES _____ NO
9. Name and address of person to whom tax statement should be sent:
Cotswold Management LLC.
645 M St
Lincoln 68508

Prior to third reading of the Vacation Ordinance before the City Council, the property will be appraised. The purchase price of the portion abutting your property must be paid to the City Clerk at that time, or the property will be sold to any other abutting owner willing to pay the purchase price. The Vacation Ordinance will not receive third reading until the full price of the entire public way proposed to be vacated has been paid.

*** IMPORTANT: BE SURE THAT THE PETITION TO VACATE PUBLIC WAY HAS BEEN PROPERLY EXECUTED BY ALL TITLEHOLDERS TO YOUR PROPERTY AND ATTACH IT TO THIS INFORMATION SHEET.